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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF ARIZONA

10 In Re Bard IVC Filters Products
11 Liability Litigation

No. MD-15-02641-PHX-DGC

**RESPONSE OF PLAINTIFFS'
LEADERSHIP TO THE COURT'S JUNE
29, 2020 ORDER (DOC. 21527)**

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15 On June 29, 2020, the Court entered an Order (Doc. 21527, herein after "Order"),
16 expressing concerns that cases were being "dismissed without being settled," and that the
17 parties to those cases were continuing settlement discussions "outside the confines of the
18 MDL." After consultation with the Plaintiffs' Executive Committee, Plaintiffs' Co-Lead
19 Counsel, Ramon Lopez and Mark O'Connor, contacted Defendants' Lead Counsel,
20 Richard North, to discuss the facts, circumstances and questions addressed in said Order.
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22 Mr. North explained that, to the best of his knowledge, this matter arose from terms
23 and conditions relating to confidential settlement agreements between Defendants and two
24 Plaintiffs' law firms—Freese & Goss, PLLC and Matthews & Associates—and did not
25 involve the PEC or Plaintiffs' Co-Lead Counsel. Mr. North confirmed none of these
26 issues involved Plaintiffs' Co-Lead Counsel, nor the PEC. Mr. North also advised he had
27 discussed the Order and the Court's specific questions therein with counsel from these
28

1 two Plaintiffs' firms. Accordingly, Mr. North and Messrs. Lopez and O'Connor agreed
2 Defense counsel and counsel of these two Plaintiffs' firms had the exclusive and joint
3 responsibility to substantively respond to the Order.
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5 On July 7, 2020, Mr. North provided Plaintiffs' leadership with a courtesy copy of
6 a draft of the proposed joint filing in response to the Order, which confirmed the
7 information set forth above. The proposed draft joint filing also confirmed that the
8 subject matter, substantive facts and knowledge of the events in question are outside the
9 purview and responsibility of the PEC and/or Plaintiffs' Co-Lead Counsel.
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11 Plaintiffs' Co-Lead Counsel will of course comply should the Court require further
12 assistance or inquiry of them.
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14 RESPECTFULLY SUBMITTED this 8th day of July 2020.

15 BEUS GILBERT MCGRODER PLLC

16 By: /s/ Mark S. O'Connor

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CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of July 2020, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ Jessica Gallentine